

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

19 Cr. 724 (JGK)

- against -

ORDER

JIMMIE GILMORE,

Defendant.

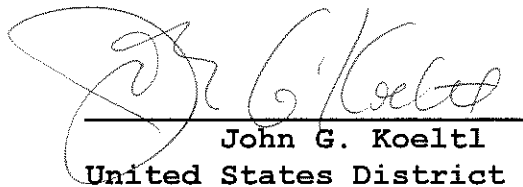
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JOHN G. KOELTL, District Judge:

The defendant asks the Court to strike paragraphs 12, 13, and the first sentences in paragraphs 14 and 18 of the pre-sentence report, namely any portion that refers to the defendant's alleged commission of Robbery No. 1 to which the defendant did not plead guilty. The Government responds that it is prepared to prove the accuracy of those paragraphs at a Fatico hearing and the Court should take that conduct into account in determining the appropriate sentence, although the Government stands by its agreement that the Court should sentence the defendant to a sentence within the stipulated Guideline Sentencing Range agreed to by the parties. Therefore, the Court will hold a Fatico hearing on **Friday, April 22, 2022 at noon**. If the parties need an alternative date, they should contact Mr. Fletcher.

SO ORDERED.

Dated: New York, New York  
April 15, 2022

  
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John G. Koeltl  
United States District Judge